

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ADVANCED CARDIOVASCULAR)	
SYSTEMS, INC. and GUIDANT SALES)	
CORPORATION,)	
)	C.A. No. 98-80 (SLR)
Plaintiffs,)	(Consolidated with C.A.
)	No. 98-314 (SLR) and
)	C.A. No. 98-316 (SLR))
v.)	
)	
)	
MEDTRONIC VASCULAR, INC. and)	
MEDTRONIC USA, INC.,)	
)	
Defendants.)	

MEDTRONIC'S MOTION FOR NEW TRIAL PURSUANT TO FED. R. CIV. P. 59(a)

Pursuant to Fed. R. Civ. P. 59(a), Defendants Medtronic Vascular, Inc. and Medtronic USA, Inc. move for a new trial. The grounds for this motion are set forth in Medtronic's Opening Brief In Support of its Motion for New Trial Pursuant to Fed. R. Civ. P. 59(a), filed herewith.

MORRIS, NICHOLS, ARSHT & TUNNELL

/s/ Karen Jacobs Louden
Karen Jacobs Louden (#2881)
Leslie A. Polizoti (#4299)
1201 N. Market Street
P.O. Box 1347
Wilmington, DE 19899-1347
(302) 658-9200
Attorneys for Defendants
Medtronic Vascular, Inc. and Medtronic USA, Inc.

OF COUNSEL:
Raphael V. Lupo
Donna M. Tanguay
Mark G. Davis
James G. Rizzo
McDERMOTT WILL & EMERY LLP
600 13th Street, N.W.
Washington, DC 20005

Fay M. Morisseau
Mauricio A. Flores
Matthew F. Weil
Michael R. O'Neill
David M. Stein
McDERMOTT WILL & EMERY LLP
18191 Von Karman Avenue
Suite 400
Irvine, CA 92612-7107

April 18, 2005

CERTIFICATE OF SERVICE

I hereby certify that on April 18, 2005 I electronically filed the foregoing with the Clerk of the Court using CM/ECF, which will send notification of such filing to the following: Frederick L. Cottrell, III (cottrell@rlf.com), Stuart M. Grant (sgrant@gelaw.com), and Karen Jacobs Loudon (kjlefilng@mnat.com).

I further certify that on April 18, 2005 I served copies of the foregoing on the following counsel in the manner indicated:

BY HAND

Frederick L. Cottrell, III
Anne Shea Gaza
Richards Layton & Finger
One Rodney Square
P.O. Box 551
Wilmington, DE 19899

BY EMAIL

Michael A. Morin
**Finnegan Henderson Farabow Garrett &
Dunner**
901 New York Avenue
Washington, D.C. 20001-4413

/s/ Karen Jacobs Loudon (#2881)
MORRIS, NICHOLS, ARSHT AND TUNNELL
(302) 658-9200
klouden@mnat.com